THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION NO : 13159 of 2005

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Dated:24.08.2005

Between:

Bodapati Aravala Raju, s/o Venkata Reddy,
r/o Garagalapalem Village, Korukonda Mandal, East Godavari District

and another.

..... PETITIONERS

AND

The Additional Agent to Government, Rampachodavaram, East Godavari District, and others.

.....RESPONDENTS

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ORDER:

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The petitioners are allegedly in occupation of the lands in Survey Nos.8/2, 21/2, 132/1, 132/2, 178/1 and 182/1 of Sarabhavaram Village, Devipatnam Mandal, East Godavari District, which is a notified scheduled area. The fifth respondent herein filed an application before the second respondent under Section 3(1) of the A.P.Scheduled Areas Land Transfer Regulation, 1959 (as amended by Regulation 1970) (for short 'the Regulation'). The second respondent after giving notice to the petitioners dismissed the said case, being LTRP No.196 of 2004, by order dated 30.12.2004. Aggrieved by the same, the fifth respondent herein filed an appeal before the first respondent being C.M.A.No.2 of 2005, who by impugned order dated 02.05.2005 allowed the appeal and directed the Mandal Revenue Officer, Devipatnam, to put the fifth respondent in possession of the lands i.e., lands in Survey Nos.8/2, 21/2, 132/1, 132/2, 178/1 and 182/1 (admeasuring 9.56 hectares). This order is assailed in this writ petition.

It is not denied by the learned counsel for the petitioners, the learned Assistant Government Pleader for Social Welfare and the learned counsel for the fifth

respondent, that under Section 6 of the Regulation an effective remedy by way of a revision is available to any person who is aggrieved by the order of the Agent to the Government. Therefore, liberty is given to the petitioners to approach the Government and file an appeal within a period of two weeks from today. As and when such revision is filed, the Government of Andhra Pradesh shall dispose of the revision, after giving notice to the petitioners, within a period of four weeks thereafter. In the meanwhile, there shall be status quo as to the possession as on today.

The writ petition, with the above observations, is disposed of. No costs.

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(V.V.S.RAO, J)

24.08.2005

Note: Issue C.C by 27.08.2005.

B/o.

vs